

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION

INTERIM APPLICATION NO. 5274 OF 2025
IN
COMMERCIAL ADMIRALTY SUIT NO. 47 OF 2024

Yuli Porandri Bachtiar & Ors.	...Applicants
<u>In the matter between</u>	
Akash Deep	...Plaintiff
Vs.	
M. V. Sencer 1 (IMP No. 9311804)	...Defendant

None for the Plaintiff.

Mr. Dhruva Gandhi with Ms. Khushboo Rupani and Mr. Sharan Shetty
i/b HSA Advocates for the Mumbai Port Authority.

Mr. Kunal S. Gaikwad for the National Union of Seafarers of
India(NUSI)

CORAM : ABHAY AHUJA, J.
DATE : 10th APRIL, 2026

P.C. :

1. When the matter is called out, it is pointed out to this Court that the Interim Application has already been disposed of, however, since the National Union of Seafarers of India (“NUSI”) and its manning agents, VR Maritime Services Private Limited has posted 5 crew members on board of the Defendant-Vessel, the matter has been circulated.

2. Mr. Gaikwad, learned Counsel appears for the NUSI and submits that since the living condition on board have fallen far lower than the

minimum standard stipulated under law, the matter has been circulated seeking a discharge of NUSI.

3. Mr. Gaikwad submits that he has also notified the Director General of Shipping of today's hearing, however, despite that none has appeared for the Director General of Shipping at whose instance NUSI has been involved through the manning agent.

4. Mr. Gandhi, learned Counsel appears for the Port Authority. It is pointed out to this Court that the last two attempts to auction the Defendant-Vessel have not met with any success and this Court's attention is drawn to orders dated 14th July, 2025 and 10th October, 2025.

5. Surprisingly none appears for the Plaintiff.

6. Having heard the learned Counsel and having considered the submissions and noting that the Interim Application on board has already been disposed of, it would be appropriate for NUSI to take out independent proceedings.

7. List the Suit on **24th April, 2026**.

8. Learned Deputy Sheriff has just arrived and submits that the report is ready, seeking directions for auctioning the Defendant-Vessel. Let the Deputy Sheriff conduct a meeting of all the stake holders and place a report before this Court by the next date.

9. Also issue Notice to the Plaintiff and to the Director General of Shipping, returnable on the next date.

(ABHAY AHUJA, J.)

Digitally
signed by
NIKITA
YOGESH
GADGIL
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